

**REGULAR COUNCIL MEETING  
CITY OF WATERTOWN  
November 19, 2007  
7:00 P.M.**

**MAYOR JEFFREY E. GRAHAM PRESIDING**

**PRESENT:**                **COUNCILMAN PETER L. CLOUGH  
COUNCILMAN TIMOTHY R. LABOUF  
MAYOR GRAHAM**

**ABSENT:**                **COUNCILMAN STEPHEN J. BRADLEY  
COUNCILMAN JEFFREY M. SMITH**

**ALSO PRESENT:**    **CITY MANAGER MARY M. CORRIVEAU  
ATTORNEY ROBERT J. SLYE**

City Manager Corriveau presented the following reports to the Council:

- 1 - Reappointment to the Roswell P. Flower Memorial Library Board of Trustees – Clancy Hopkins
- 2 - Approving the “Advanced SEQR” Workshop on November 28, 2007 as Valid Training for Meeting the New York State Municipal Planning and Zoning Officials Training Requirement
- 3 - Authorizing City Manager to Execute Lease Agreement, Dealmaker Dodge
- 4 - Approving the Contract with CivicPlus to Complete the Redesign and Enhancement Of the City’s Website
- 5 - Approving Change Order No. 1 to Contract for Iroquois Avenue Sewer Upgrade Project, Bat-Con, Inc.
- 6 - Approving Change Order No. 1 to Contract for North Shore Access to the Route 3 Wave, Powis Excavating & Contracting
- 7 - Approving the Site Plan for the Renovation and Expansion Of an Existing Medical Facility and the Construction of a Multistory Parking Garage Located at 830 Washington Street, Parcels No. 14-08-101.001, 14-02-101 and 14-02-201
- 8- Authorizing the Issuance of \$500,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Cost Of the Design and Replacement or Rehabilitation of Water Pump Station Motor Drives at the Water Treatment Plant, In and For Said City
- 9 - Authorizing the Issuance of \$10,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay Additional Costs of Recreational Improvements to the Black River Shoreline at the Route 3 Wave, In and For Said City
- 10 - Amendment to Municipal Code, Section 293, Vehicles And Traffic, High and Union Street Parking Lots
- 11 - Establishing the Zoning Classification as Neighborhood Business and Residence for a Former Paper Street Known as Division St. West, Parcel No. 2-11-139
- 12 - Tabled Ordinance – Amending City Municipal Code Chapter 293, Vehicles

- and Traffic  
13 - Tabled Ordinance – Amending City Municipal Code 293-52, Schedule IV: One-Way Streets

**COMPLETE REPORTS ON FILE IN THE OFFICE OF THE CITY CLERK**

Meeting opened with a moment of silence.

Pledge of Allegiance was given.

The reading of the minutes of the regular meeting of November 5, 2007 was dispensed with and accepted as written by motion of Councilman Clough, seconded by Councilman LaBouf and carried with all voting in favor thereof.

**COMMUNICATIONS**

From the City Planning Board recommending Council grant approval for the Zone Change request submitted by City staff on behalf of Michael Doney, to establish zoning for a former paper street. The property is located on Division Street West, east of LeRay Street, Parcel No. 2-121-139.

**ABOVE PLACED ON FILE**

From Advantage Watertown recommending that the City continue to participate in the North Country Home Consortium for the 2008-2010 period.

**ABOVE PLACED ON FILE**

From the River Committee recommending a letter and active communications be initiated by the City Council and staff to encourage the State Dept. of Parks, Recreation and Historic Preservation to extend the present Black River Trail into the City at Eastern Boulevard.

**ABOVE PLACED ON FILE**

Additional paperwork was received from Barbara Evans concerning a claim against the city that she previously filed.

**ABOVE REFERRED TO THE BOARD OF AUDIT**

**PRIVILEGE OF THE FLOOR**

**Mr. Martin Lamon**, 124 Ward St., addressed the chair concerning the Moot property. He reiterated his complaints concerning the property and also the fact that nothing has been done on the outside of the house or garage since minor work was done in August.

Mrs. Corriveau explained that two orders were issued concerning the property. One was that the Mr. Moot could not occupy the home until the condemnation order had been released. The other order was that the exterior would be completed by October 31<sup>st</sup>.

Mr. Lamon advised Council that the Codes Dept. came to the property at 6 pm and locked the back door. However, the neighbors asked them if they were going to check the side door and it was unlocked. They have since put a lock on it. Mr. Lamon said that taxpayers are not happy about paying the overtime for the Code Dept. He also said that he has only seen one contractor on the property in a month.

Mrs. Corriveau commented that Mr. McWayne has indicated that everything is completed inside the home other than the electrical. Once that is inspected and passed, the condemnation order will be lifted.

Councilman Clough asked if Mr. Moot had been cited for the outside of the property.

Mrs. Corriveau stated that he was.

A five minute recess was granted to allow Mrs. Corriveau to retrieve the file concerning this property. She explained that the property was cited under five section of the property maintenance code, 3 for the house and 2 for the garage. She explained that she doesn't know how many of the issues have been addressed because it is handled by the Code Dept.

Mr. Lamon remarked that he and other neighbors come down to every Council meeting and no one has an answer. He stated that it is inexcusable for Council not to have answers. He also questioned why the Health Inspector wasn't brought in.

Mrs. Corriveau responded that Code Enforcement and the engineer hired by Mr. Moot have stated that the work has been completed. She remarked that an engineer would not risk his license by stamping and signing that work was done if it wasn't. She also explained that she was asked by Council to discuss the health issue with Mr. McWayne and he indicated that there was no health hazard that would rise to the level of a public nuisance. She also advised that Mr. McWayne serves as a health inspector under Dr. Kausalke and he believes that there are no grounds to sign an affidavit on.

Councilman LaBouf questioned why the City is able to condemn the property for occupancy but have to bow to the desire of the property owner in not allowing Dr. Kausalke in.

Mayor Graham commented that the failure to secure the side door was an error and he apologized for that.

Mr. Lamon remarked that Mr. Moot has a refrigerator full of five year old decomposed food.

Mayor Graham commented on the anecdotal stories that are being told. He stated that when he was in the house, he did not feel threatened health wise. It was just stuff piled up. He also commented that it is very seldom that vendors want to sign affidavits against paying customers.

Mr. Lamon referred to the pails of human waste that were in the house.

Mayor Graham responded that it was cleaned up.

Mayor Graham requested that Codes be at the next regular Council meeting. He stated that there seems to be a disconnect between the anecdotal stories and what is being claimed as done.

Mr. Lamon remarked that he has spoken to attorneys and they couldn't believe that it is not a public nuisance. He also stated that they can not use their driveway because Mr. Moot won't move his vehicle. They have to drive on their lawn, which they keep impeccable.

Attorney Slye answered question posed by Council concerning what can be done. He explained that since the completion date has passed, the city could pursue civil action to have the exterior problems remedied.

Councilman Clough remarked that Council doesn't want to wait two more weeks on this.

Mrs. Corriveau advised Council that Mr. McWayne, not the City Council will make the final determination on whether civil action should be pursued. She also explained that if the property owner is working to take care of the problems, then Code Enforcement will generally work with them.

Councilman LaBouf asked how many people would have to sign affidavits to get a court order to let the Health Officer in.

Attorney Slye and Mrs. Corriveau both explained that it is not the number of people, but rather the requirement to show that a public nuisance exists.

**Scott Gates**, 157 Dorsey Street, addressed the chair explaining that "Mia's Holiday Dog Costume Party" will be held on Dec. 1<sup>st</sup> to benefit the dog park project. Mr. Gates advised the Council that if the project does not receive support by then, he can not work on it any longer.

**Bill Stoodley**, owner of property at 624 and 632 State Street, addressed the chair concerning comments made by a member of Council at the last meeting. Mr. Stoodley assured the Council that he is very pleased with the work being done by Villager Construction and the subcontractors. He stated that they have gone over and above all expectations. He also stated that public hearings were held three years ago and everyone on the street knew what the design and the plans were. He stated that everyone knew that

there would be no parking on the street. Mr. Stoodley commented that he was very pleased with the design of the pedestrian island in front of Great American and is necessary to keep traffic at a civil pace.

**Tom O'Riley**, 1412 Huntington Street, addressed the chair referring to a letter that he sent to Council regarding Gardner Avenue. He explained that the City sold it to him, but the court determined that the City never owned it. He stated that as a result of the lawsuit, he and his partner have had a financial loss of several thousand dollars. He remarked that he still has not received a formal response from the city.

Mayor Graham remarked that there is always a risk with a quit claim deed.

Councilman Clough asked what liability the City would have.

Attorney Slye remarked that this is why the City gives a quit claim deed. The City didn't promise as forever warranty title.

Mrs. Corriveau reminded Council that Mr. Mix has done reports regarding paper streets. They are all very different. Mr. O'Riley desired to purchase the property and the City didn't know if they owned it.

Attorney Slye explained that the City was also named in the lawsuit that Mr. O'Riley is referring to and had to defend itself, thus incurring legal expenses. The lawsuit was brought by Mr. Maitland as he owns an easement through the property.

Mr. O'Riley explained that the judge said the City had no right to give a quit claim deed.

Attorney Slye remarked that the City sold exactly what they owned, nothing. The judge said to check out what you are buying, before you buy it.

Councilman Labouf asked what could be done to give a refund in taxes on the property.

Attorney Slye responded that he doesn't know if the City has a legal avenue short of settling a lawsuit. He also explained that a notice of claim is for negligence, not for a breach of contract.

Mr. O'Riley advised that the two abutting property owners are each paying ½ of the taxes on the property and he is paying 1 and ½ of the taxes on the same property. He stated that he is still receiving a tax bill on the property.

Attorney Slye referred to the fact that the corrected deed on the property had the new language added stating that the City didn't know what interest they had in the property.

Mr. O'Riley remarked that he believes it was not the City's intent to take several thousand dollars from Riverside Gardens.

Mrs. Corriveau advised that Mr. O’Riley had conversations with the previous City Assessor, Mrs. Norfolk. The paperwork had not been done correctly.

Mr. O’Riley explained that he is only asking for the price of the property and the taxes that they have paid on it and to be absolved of the property in the future.

Mayor Graham asked the City Clerk to pull the minutes of the meetings where discussion of this property occurred.

Mayor Graham asked for clarification of this issue.

Mrs. Corriveau responded that a formal response will be put together.

## **RESOLUTIONS**

### **INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF**

RESOLVED by the City Council of the City of Watertown, New York that Clancy Hopkins, 909 Washington Street, Watertown, New York, is hereby reappointed to the Roswell P. Flower Memorial Library Board of Trustees for an eleven-year term commencing January 1, 2008 and expiring on December 31, 2018.

### **SECONDED BY COUNCILMAN PETER L. CLOUGH AND CARRIED WITH ALL VOTING YEA**

### **INTRODUCED BY COUNCILMAN PETER L. CLOUGH**

WHEREAS the New York State Chapter 662 of the Laws of 2006, which took effect on January 1, 2007 requires all municipal planning and zoning officials to have four hours of training per year, and

WHEREAS the training must be approved by the City Council before it can be used to meet the new training requirement, and

WHEREAS the Fort Drum Regional Liaison Organization, in collaboration with the Jefferson, Lewis and St Lawrence County Planning Departments, the NYS Tug Hill Commission, and the Center for Community Studies at JCC is sponsoring an “Advanced SEQR” Workshop on November 28, 2007 from 6:30 p.m. to 8:30 p.m. at Jefferson Community College,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York that the “Advanced SEQR” Workshop is approved to provide two hours of training toward meeting the New York State Municipal Planning and Zoning Officials training requirement.

### **SECONDED BY COUNCILMAN TIMOTHY R. LABOUF AND CARRIED WITH**

**ALL VOTING YEA**

**INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF**

WHEREAS Dealmaker Dodge has offered to provide the City of Watertown with a Dodge Dakota for use as a DARE vehicle by the Watertown Police Department, and

WHEREAS the Dodge Dakota would be given to the City for its use, as a no-cost 27 month lease, and

WHEREAS the Watertown Police Department is in need of a new vehicle for the DARE Program,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts this gift from Dealmaker Dodge, and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to execute the lease Agreement on behalf of the City of Watertown.

**SECONDED BY COUNCILMAN PETER L. CLOUGH AND CARRIED WITH ALL VOTING YEA**

**INTRODUCED BY COUNCILMAN PETER L. CLOUGH**

WHEREAS the New York State Department of State, Division of Coastal Resources has awarded the City of Watertown a \$50,000 grant under Title 11 of the Environmental Protection Fund to implement a Downtown Awareness Campaign, and

WHEREAS the design, creation, and enhancement of the City's website is one of the projects funded under the Downtown Awareness Campaign, and

WHEREAS upon review and committee approval, the City desires to enter into an Agreement with CivicPlus for this project,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown approves the Agreement with CivicPlus, a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that the City Manager, Mary M. Corriveau, is hereby directed to enter into and execute the Contract with CivicPlus on behalf of the City of Watertown, and

BE IT FURTHER RESOLVED that the City Manager is authorized to act on behalf of the City in all further matters related to this project.

**SECONDED BY COUNCILMAN TIMOTHY R. LABOUF AND CARRIED WITH**

**ALL VOTING YEA**

**INTRODUCED BY COUNCILMAN PETER L. CLOUGH**

WHEREAS on June 4, 2007 the City Council of the City of Watertown approved a bid submitted by Bat-Con, Inc., Marcellus, New York, in the amount of \$518,793.00, for the Iroquois Avenue Sewer Upgrade Project, and

WHEREAS in connection with that project, City Engineer Kurt Hauk has submitted the attached Change Order No. 1 for consideration by the City Council, and

WHEREAS the total cost associated with this Change Order is \$5,996.90,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown approves Change Order No. 1 to the contract with Bat Con, Inc., Marcellus, New York, associated with the Iroquois Avenue Sewer Upgrade Project, a copy of which is attached and made part of this resolution, and

BE IT FURTHER RESOLVED that City Manager Mary M. Corriveau is hereby authorized and directed to execute the Change Order documents on behalf of the City of Watertown.

**SECONDED BY COUNCILMAN TIMOTHY R. LABOUF AND CARRIED WITH ALL VOTING YEA**

**INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF**

WHEREAS on May 21, 2007, the City Council of the City of Watertown approved the bid submitted by Powis Excavating & Contracting, Copenhagen, New York, in the amount of \$224,000 for the construction of the North Shore Access to the Route 3 Wave, and

WHEREAS Downtown Development Specialist Christine Hoffman has submitted for City Council consideration Change Order No. 1 to the contract, in the amount of \$5,547.00, a copy of which is attached and made part of this resolution,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves Change Order No. 1 to the contract with Powis Excavating & Contracting, and

BE IT FURTHER RESOLVED that approval of this Change Order is contingent on City Council approval of a Bond Ordinance to fund the increased costs, and

BE IT FURTHER RESOLVED that City Manager Mary M. Corriveau is hereby authorized and directed to execute the Change Order documents on behalf of the City of Watertown.



**SECONDED BY COUNCILMAN PETER L. CLOUGH AND CARRIED WITH ALL VOTING YEA**

**INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF**

WHEREAS Richard Brooks, has made an application for site plan approval on behalf of Samaritan Medical Center, for the renovation and expansion of an existing medical facility and the construction of a multistory parking garage located at 830 Washington Street, Parcels No. 14-08-101.001, 14-02-101, and 14-02-201, and

WHEREAS the project includes the construction of a 4 level parking garage for approximately 355 cars, a patient pavilion approximately 132,500 square feet in size, the renovation of approximately 71,500 square feet of existing hospital space; the relocation of the existing helipad; and modifications to the facility's existing parking and circulation, and

WHEREAS the Planning Board of the City of Watertown last reviewed the site plan at its meeting held on November 15, 2007, and recommended that the City Council of the City of Watertown approve the site plan dated November 15, 2007, contingent upon the following:

- 1) A storm water treatment structure shall be required for the new section of storm sewer. This structure shall be reviewed and approved by the City Engineer prior to installation.
- 2) The consultant shall update the plans to show the proposed 25' wide water main easement to extend to Sherman Street. A copy of the draft easement shall be forwarded to the City of Watertown Engineering Department for review prior to filing at the Jefferson County Clerk's Office.
- 3) The consultant shall submit final water main drawings to the City of Watertown Engineering and Water Departments for review. New York State Department of Health approval will be required as part of this project.
- 4) Submit a copy of the Storm Water Pollution Prevention Plan SWPPP to the City Engineer. A maintenance schedule for the proposed subsurface storm water retention system and catch basins shall be provided to the City of Watertown Engineering Department
- 5) The plans shall be reviewed and approved by the Fire Department prior to issuance of any building permit.
- 6) The building permit for the Patient Pavilion shall not be issued until the structure meets the required setbacks. Supporting evidence shall be reviewed and approved by the City Engineer.

- 7) Combine the lots located along Woodruff Street (Parcels No. 14-02-108, 14-02-109, 14-02-110, 14-02-111 and 14-02-112) with the main lot.
- 8) All construction details shall be provided to the Engineering Department for review and approval.
- 9) The following permits must be obtained from the City before the start of site construction:
  - Sidewalk
  - Sanitary Sewer Permit
  - Storm Sewer Permit
  - Water Connection Permits
- 10) The sidewalk along Washington Street shall be relocated to the westerly street margin of Washington Street. The landscaping shall be revised in this area to be consistent with the City's adopted Landscaping & Buffer Zone Guidelines. The Site Plan and Landscape Plans shall be updated to reflect this change. Both plans shall be reviewed and approved by the City Engineer prior to issuance of the building permit for the parking garage.
- 11) Both roof canopies shall maintain a minimum height clearance of 13 feet.

And,

WHEREAS the City Council must evaluate all proposed actions submitted for its consideration in light of the State Environmental Quality Review Act (SEQRA) and the regulations promulgated pursuant thereto, and

WHEREAS the City Council had determined that the proposed project is a Type 1 Action, which requires a coordinated review, and

WHEREAS the City initiated a coordinated review of all other involved agencies on October 18, 2007 and received no objections to the City Council being established as the lead agency, and

WHEREAS to aid the City Council in its determination as to whether the proposed project will have a significant effect on the environment, Part 1 of a Full Environmental Assessment Form has been prepared by the applicant, a copy of which is attached and made part of this resolution, and

WHEREAS the City Council has responded to the questions in Part 2 and Part 3, where necessary, of the Full Environmental Assessment Form,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York, that it is established as lead agency for the purposes of the State Environmental Quality Review.

BE IT FURTHER RESOLVED that the City Council of the City of Watertown declares the proposed construction and site plan constitute a Type 1 Action for the purposes of SEQR and hereby determines that the project, as proposed, will not have a significant effect on the environment, and

BE IT FURTHER RESOLVED by the City Council of the City of Watertown, New York that site plan approval is hereby granted to Richard Brooks, on behalf of Samaritan Medical Center, for the expansion of an existing medical facility and the construction of a multistory parking garage located at 830 Washington Street, Parcel No. 14-08-101.001, 14-02-101, and 14-02-201, and as shown on plans submitted to the City Engineer on November 15, 2007, contingent upon the applicant making the revisions and meeting the requirements listed above in the City Planning Board recommendation.

**SECONDED BY COUNCILMAN PETER L. CLOUGH AND CARRIED WITH ALL VOTING YEA**

**INTRODUCED BY COUNCILMAN PETER L. CLOUGH**

WHEREAS the City of Watertown Fire Department is seeking City Council approval to apply for grant funding under FEMA's "Assistance to Fire Fighters Grant Program", commonly known as the "FIRE Act", and

WHEREAS the purpose of this program is for acquiring additional equipment, including equipment for fire suppression, to enhance the safety or effectiveness of fire fighting, rescue and fire based EMS functions, and

WHEREAS the application, in the amount of \$23,500, with the City match being \$2,350, would provide funding for fire prevention,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby authorizes the Fire Department to submit a grant application for fire prevention under FEMA's "Assistance to Fire Fighters Grant Program", and

BE IT FURTHER RESOLVED that Fire Chief Daniel J. Gaumont is hereby authorized and directed to execute the grant application on behalf of the City of Watertown.

**SECONDED BY COUNCILMAN TIMOTHY R. LABOUF AND CARRIED WITH ALL VOTING YEA**

**RULES WAIVED BY MOTION OF COUNCILMAN CLOUGH, SECONDED BY COUNCILMAN LABOUF AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.**

## **ORDINANCES**

### **INTRODUCED BY COUNCILMAN PETER L.CLOUGH**

WHEREAS, all conditions precedent to the financing of the capital purpose hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital purpose;

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Watertown, Jefferson County, New York, as follows:

Section 1. For paying the cost of design and replacement or rehabilitation of water pump station motor drives at the water treatment plant, in and for the City of Watertown, Jefferson County, New York, including incidental expenses in connection therewith, a class of objects or purposes, there are hereby authorized to be issued \$500,000 bonds of said City pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid class of objects or purposes is \$500,000 and that the plan for the financing thereof is by the issuance of the \$500,000 bonds of said City authorized to be issued pursuant to this bond ordinance.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty years, pursuant to subdivision one of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the City Comptroller, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Comptroller, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said City of Watertown, Jefferson County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent such appropriation is not made from other sources, there shall annually be levied on all the taxable real property of said City a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the City of Watertown, Jefferson County, New York, by the manual or facsimile signature of the City Comptroller and a facsimile of its corporate seal shall be imprinted thereon and may be attested by the manual or facsimile signature of the City Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the City Comptroller, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the City; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the City Comptroller shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the City by the facsimile signature of the City Comptroller, providing for the manual countersignature of a fiscal agent or of a designated official of the City), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the City Comptroller. It is hereby determined that it is to the financial advantage of the City not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the City Comptroller shall determine.

Section 9. This ordinance shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this ordinance, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

(1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or

(2) The provisions of law which should be complied with at the date of publication of this ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This ordinance, which takes effect immediately, shall be published in full in summary in the Watertown Daily Times, the official newspaper, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance

**SECONDED BY COUNCILMAN TIMOTHY R. LABOUF**

**LAI D OVER UNDER THE RULES**

**INTRODUCED BY COUNCILMAN PETER L. CLOUGH**

WHEREAS, all conditions precedent to the financing of the capital purposes hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act to the extent required, have been performed; and

WHEREAS, by bond ordinances dated September 18, 2006 and June 4, 2007, the Council of the City of Watertown, Jefferson County, New York, authorized the issuance of an aggregate \$280,000 bonds of said City to pay the cost of the design and construction of recreational improvements to the Black River shoreline at the Route 3 Wave, in and for the City of Watertown, Jefferson County, New York; and

WHEREAS, it is now desired to authorize the issuance of \$10,000 bonds of said City to finance additional costs of said specific object or purpose;

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Watertown, Jefferson County, New York, as follows:

Section 1. For paying additional costs of the design and construction of recreational improvements to the Black River shoreline at the Route 3 Wave, in and for the City of Watertown, Jefferson County, New York, including incidental expenses in connection therewith, a specific object or purpose, there are hereby authorized to be issued an additional \$10,000 bonds of said City pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$290,000 and that the plan for the financing thereof is as follows:

(a) by the issuance of the \$180,000 bonds of said City authorized to be issued pursuant to bond ordinance dated September 18, 2006 (Ordinance No. 1);

(b) by the issuance of the \$100,000 bonds of said City authorized to be issued pursuant to bond ordinance dated June 4, 2007 (Ordinance No. 1); and

(c) by the issuance of the additional \$10,000 bonds of said City authorized to be issued pursuant to this bond ordinance, provided, however, that the amount of bonds ultimately to be issued will be reduced by the amount of any State and/or Federal aid or any other revenue received by said City for such specific object or purpose.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years, pursuant to subdivision nineteen of paragraph a of Section 11.00 of the Local Finance Law, calculated from February 27, 2007, the date of the first obligations issued for such purpose. It is hereby further determined that the maximum maturity of the bonds authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the City Comptroller, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Comptroller, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said City of Watertown, Jefferson County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent such appropriation is not made from other sources, there shall annually be levied on all the taxable real property of said City a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the City of Watertown, Jefferson County, New York, by the manual or facsimile signature of the City Comptroller and a facsimile of its corporate seal shall be imprinted thereon and may be attested by the manual or facsimile signature of the City Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the City Comptroller, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the City; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the City Comptroller shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining

annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the City by the facsimile signature of the City Comptroller, providing for the manual countersignature of a fiscal agent or of a designated official of the City), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the City Comptroller. It is hereby determined that it is to the financial advantage of the City not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the City Comptroller shall determine.

Section 9. This ordinance shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this ordinance, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- (1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
- (2) The provisions of law which should be complied with at the date of publication of this ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This ordinance, which takes effect immediately, shall be published in full in summary in the Watertown Daily Times, the official newspaper, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

**SECONDED BY COUNCILMAN TIMOTHY R. LABOUF**

**LAID OVER UNDER THE RULES**

**INTRODUCED BY COUNCILMAN PETER L. CLOUGH**

BE IT ORDAINED that Chapter 293 of the City Code of the City of Watertown is amended to add the following:



§293-64. Schedule XVI: Parking Prohibited Certain Hours.

<u>Name of Street</u>	<u>Side</u>	<u>Hours/Days</u>	<u>Location</u>
High Street Parking Lot	Both	2:00 a.m. to 6:00 a.m./All	Entire Lot
Union Street Parking Lot	Both	2:00 a.m. to 6:00 a.m./All	Entire Lot

§ 293-67. Schedule XIX: Restricted Time Limit Parking.

<u>Name of Street</u>	<u>Side</u>	<u>Restricted Time Limit: Hours/days</u>	<u>Location</u>
High Street Parking Lot	Both	2 hr.; 8:00 a.m. to 6:00 p.m./Monday through Friday	Entire Lot
Union Street Parking Lot	Both	2 hr.; 8:00 a.m. to 6:00 p.m./Monday through Friday	Entire Lot

and,

BE IT FURTHER ORDAINED that this Amendment to the Municipal Code shall take effect as soon as it is published once in the official newspaper of the City of Watertown or printed as the City Manager directs.

**SECONDED BY COUNCILMAN TIMOTHY R. LABOUF**

**LAI D OVER UNDER THE RULES**

**INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF**

BE IT ORDAINED where City Staff, on behalf of Michael Doney, has made application by petition filed with the City Clerk, pursuant to Section 83 of the New York General City Law to establish the approved zoning classification of property formerly known as the paper street Division Street West, Parcel No. 2-11-139, as Neighborhood

Business and Residence B as more precisely described in Schedules “A” and “B” which are attached and made part of this resolution, and

WHEREAS the Planning Board of the City of Watertown considered the zone change request at its meeting held on November 6, 2007, and recommended that the City Council approve the zone change as requested, and

WHEREAS a public hearing was held on the proposed zone change on December 3, 2007, after due public notice, and

WHEREAS the City Council has made a declaration of negative findings of the impacts of the proposed zone change according to the requirements of SEQRA, and

WHEREAS the City Council deems it in the best interest of the citizens of the City of Watertown to approve the requested zone change, and

NOW THEREFORE BE IT ORDAINED that the zoning classification shall be established for property formerly known as the paper street Division Street West, Parcel No. 2-11-139, as described in Schedules “A” and “B”, as Neighborhood Business and Residence B, respectively, and

BE IT FURTHER ORDAINED that the Zoning Map of the City of Watertown shall be amended to reflect the zone change, and

BE IT FURTHER ORDAINED this Amendment to the Zoning Ordinance of the City of Watertown shall take effect as soon as it is published once in the official newspaper of the City of Watertown, or printed as the City Manager directs.

**SECONDED BY MAYOR JEFFREY M. GRAHAM**

**MOTION WAS MADE BY COUNCILMAN CLOUGH TO SCHEDULE A PUBLIC HEARING FOR THE FOREGOING ORDINANCE ON MONDAY, DECEMBER 3, 2007 AT 7:30 P.M.**

**MOTION WAS SECONDED BY COUNCILMAN LABOUF AND CARRIED WITH ALL VOTING IN FAVOR THEREOF**

**MOTION WAS MADE BY COUNCILMAN CLOUGH TO TAKE FROM THE TABLE THE ORDINANCE “AMENDING CITY MUNICIPAL CODE CHAPTER 293, VEHICLES AND TRAFFIC, STATE STREET** (Introduced on November 5, 2007; tabled; appears in its entirety on page 252 of the 2007 Minutes Book)

**MOTION WAS SECONDED BY COUNCILMAN LABOUF AND CARRIED WITH ALL VOTING YEA**

**AT THE CALL OF THE CHAIR VOTE WAS TAKEN ON THE FOREGOING**

**ORDINANCE AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.**

**MOTION WAS MADE BY COUNCILMAN LABOUF TO TAKE FROM THE TABLE THE ORDINANCE “AMENDING CITY MUNICIPAL CODE 293-52, SCHEDULE IV: ONE-WAY STREETS WAS PRESENTED TO THE COUNCIL**

(Introduced on November 5, 2007; tabled; appears in its entirety on page 252 of the 2007 Minutes Book)

**THERE WAS NO SECOND FOR THE MOTION.**

**ORDINANCE REMAINS ON THE TABLE.**

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**COUNCIL DISCUSSED THE FOLLOWING TOPICS**

**River Committee**

The following resolution was offered:

**INTRODUCED BY COUNCILMAN PETER L. CLOUGH**

RESOLVED that a letter and active communication be initiated by the City Council and staff to encourage the State Department of Parks, Recreation and Historic Preservation to extend the present Black River Trail (now ending in the Huntingtonville area) into the City of Watertown at Eastern Boulevard.

**SECONDED BY COUNCILMAN LABOUF AND CARRIED WITH ALL VOTING YEA**

**RULES WAIVED BY MOTION OF COUNCILMAN CLOUGH, SECONDED BY COUNCILMAN LABOUF AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.**

**Advantage Watertown**

Mayor Graham remarked that if there is going to be a request to Council concerning the participation in the NCHC, Mr. Beasley should be asked to attend the Council meeting.

Mrs. Corriveau remarked that she would also like to invite Phil Smith, as he has prepared the grants for Neighbors of Watertown.

**Katherine Street Green Space**

Councilman LaBouf referred to the request from Mr. Zimmer to put up a flag pole at this

location. He asked that staff put together some numbers concerning this. He also asked for the park status of this location.

Mrs. Corriveau asked about the size being requested and if there would be paved areas going up to it.

Councilman Clough remarked that Council would like recommendations from City staff.

### **December Work Session**

Councilman LaBouf asked if there was going to be a work session in December as he would like to discuss the sex offender legislation in other communities.

### **Auburn Trip**

Referring to the information previously provided by Councilman Bradley, Councilman LaBouf asked when this trip to Auburn was going to occur.

Mrs. Corriveau explained that it has already happened. Mrs. Corriveau , along with Mr. Hauck and Mr. Sligar went to Auburn.

### **Columbia Street Fire**

Councilman LaBouf, as well as the rest of Council, gave accolades to the Fire Department for the job on Columbia Street.

Mayor Graham asked what the official response was to the water situation.

Mrs. Corriveau advised that the Fire Department and the Water Department met to talk about the identifying of the size of the lines and size of the hydrants. The maps will better show them.

Chief Gaumont explained that the magnitude of the fire was nothing they would have expected in that area. The cause is undetermined.

### **Black River Parkway**

Mrs. Corriveau advised Council that the street signs will go up and E911 will be notified. The city maps will also be changed.

Mayor Graham asked about the wayfinding package.

Mrs. Corriveau explained that they would have to be added as they were not included in the original package. This package is out to bid and the addition would require a change order to that.

### **Pedestrian Island on State Street**

Mayor Graham remarked that the City has already pulled off one car from this island. He remarked that before the final coat is put down next year, he would hope that the City will think about whether it should be there or not.

### **Attorney Fees**

Mrs. Corriveau gave Council a letter from Slye & Burrows indicating that their hourly fees will go up effective January 1, 2008.

Councilman Clough remarked that this discussion should be held during budget time.

Attorney Slye explained that the new rates will still be within the budget that was passed.

Mayor Graham remarked that at budget time, Council discusses the total legal amount, not their rates.

### **ADJOURNMENT**

**AT THE CALL OF THE CHAIR MEETING WAS DULY ADJOURNED AT 8:50 P.M. BY MOTION OF COUNCILMAN CLOUGH, SECONDED BY COUNCILMAN LABOUF AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.**

**Donna M. Dutton**

City Clerk



**Happy Thanksgiving**